



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING
SESSION ONE
OF MONDAY, JULY 6, 2020
VIDEO STREAMED AND ALSO OPENED
TO THE PUBLIC AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

Mayor Mike Clement called the Regular Board of Aldermen meeting to order at 7:00 p.m.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Huether, Alderman Nolte, Alderman Hamill, Alderman Ottenad, Alderman Baumann, Alderman Toben, and Mayor Clement. A quorum was present.

3. APPROVAL OF THE MINUTES

a. Minutes of the Monday, June 15, 2020 Public Hearing

Alderman Hamill made the motion to approve the Minutes of the Monday, June 15, 2020 Board of Aldermen Public Hearing. The motion was seconded by Alderman Toben and carried unanimously, with no objections from any members of the Board of Aldermen.

b. Minutes of the Monday, June 15, 2020 Regular Board of Aldermen Meeting

Alderman Ottenad made the motion to approve the Minutes of the Monday, June 15, 2020 Regular Board of Aldermen Meeting. The motion was seconded by Alderman Toben and carried unanimously, with no objections from any members of the Board of Aldermen.

4. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Alderman Hamill made the motion to approve the Order of Items on the Agenda, as submitted. The motion was seconded by Alderman Toben and carried unanimously, with no objections from any members of the Board of Aldermen.

5. ACTION ON OLD LEGISLATION

a. BILL NO. 20-2410 - CONFLICT OF INTEREST BIENNIAL ADOPTION

Alderman Nolte read for the second time Bill #20-2410, entitled: "AN ORDINANCE RE-AFFIRMING THE PROVISIONS OF SECTIONS 120.010 THROUGH 120.070 OF THE CODE OF ORDINANCES OF THE CITY OF MANCHESTER, MISSOURI WHICH ESTABLISHES A PROCEDURE TO PROVIDE FOR THE DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTEREST FOR CERTAIN MUNICIPAL OFFICIALS OF THE CITY OF MANCHESTER, MISSOURI", by title only.

Alderman Nolte made the motion that Bill #20-2410 become Ordinance #20-2295. The motion was seconded by Alderman Ottenad.

A poll of the Board showed:

Alderman Toben - aye
Alderman Hamill - aye
Alderman Nolte - aye
Alderman Ottenad - aye
Alderman Huether - aye
Alderman Baumann- aye

Mayor Clement announced that the motion passed 6 - 0, without any objections from the Board of Aldermen.

6. INTRODUCTION OF NEW LEGISLATION

a. RESOLUTION NO. 20-0756 – CERTIFICATION OF THE JUNE 2, 2020 GENERAL MUNICIPAL ELECTION

Alderman Hamill read proposed Resolution #20-0756, entitled: "A RESOLUTION DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD IN THE CITY OF MANCHESTER, MISSOURI ON JUNE 2, 2020 FOR THE BALLOT PROPOSITION AND FOR THE OFFICES OF MAYOR AND ALDERMAN FOR WARDS I, II, AND III" by title only.

Alderman Hamill made the motion for approval of Resolution #20-0756. The motion was seconded by Alderman Ottenad and carried unanimously, without any objections from any members of the Board of Aldermen.

7. MISCELLANEOUS

a. Oath of Office

City Clerk Justin Klocke gave the Oath of Office to Alderman Ben Toben, Alderman Marilyn Ottenad, Alderman Nelson Nolte and Mayor Mike Clement.

b. Comments from the Public

There were none.

9. MOTION TO END SESSION

Alderman Hamill made the motion to end Session One. The motion was seconded by Alderman Nolte and carried unanimously, without any objections from any members of the Board of Aldermen.

Respectfully submitted,
Michelle Melugin
Deputy City Clerk

Note: *This is a journal of the Regular Board of Aldermen Meeting – Session One on July 6, 2020, (summary); not a verbatim transcript. If a recording of the public hearing is desired, please contact City Hall.*



**MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING
SESSION TWO
OF MONDAY, JULY 6, 2020
VIDEO STREAMED AND ALSO OPENED
TO THE PUBLIC AT 200 HIGHLANDS BOULEVARD DRIVE**

1. CALL TO ORDER

Mayor Mike Clement called the Regular Board of Aldermen meeting to order at 7:13 p.m.

2. ROLL CALL AND STATEMENT OF QUORUM

Roll call showed those present were Alderman Huether, Alderman Nolte, Alderman Hamill, Alderman Ottenad, Alderman Baumann, Alderman Toben, and Mayor Clement. A quorum was present.

3. ESTABLISHMENT OF ORDER OF ITEMS ON THE AGENDA

Alderman Hamill made the motion to approve the Order of Items on the Agenda, as submitted. The motion was seconded by Alderman Toben and carried unanimously, with no objections from any members of the Board of Aldermen.

4. CONSIDERATION OF PETITIONS

a. Comments from the Public

City Clerk Justin Klocke read an email that was sent to him that was to be read at the Board of Aldermen Meeting:

Hello! I'm Barb Tucker. We have lived at 413 Glan Tai Drive in Manchester for over 23 years. We have raised family here, moved here because of great school system. Now that hubby and I are retired and empty nesters, we finally have time to spend pursuing

interests. We would love to have Ordinance changed to allow a few backyard chickens like other local municipalities. We live a very sustainable lifestyle (thank you for the composter –it’s awesome!), garden and recycle/upcycled whatever we can. With current pandemic we can’t travel (both health compromised), so raising chickens would be great pastime. Our daughter has 2 chickens in unincorporated Ballwin for about 6 years, and they have been great educational experience for grandson. Local HOA rules could limit number of chickens, no rooster ban, etc. Backyard chickens is not farming... once you name ‘em – they’re pets! Just ask my daughter’s chickens Artismis and Joleene. Thank you for your consideration.

b. Consideration of Liquor License Renewals

City Clerk Justin Klocke stated that he submitted the memo for the renewal of the Smokee Mo’s liquor licenses for the 2020-2021 year.

Alderman Toben made the motion to approve the liquor license renewal for Smokee Mo’s renewal for 2020-2021. The motion was seconded by Alderman Baumann and carried unanimously, without any objections from any members of the Board of Aldermen.

5. REPORTS FROM THE MAYOR

a. Mayoral Report

Mayor Clement stated that there is a Boy Scout in the audience working on a merit badge. Ben Goheen from troop 750 from Wren Hollow.

Mayor Clement stated the City of Manchester is having an ice cream social at the Park’s Building on Wednesday, July 8 from 11 a.m. to 2 p.m. They have a new ice cream machine.

Mayor Clement wanted to acknowledge that Wednesday evening will be “Conversations with the Mayor” held at the Justice Center starting at 6:30 p.m. He hopes all can attend.

Mayor Clement stated that on Thursday, July 9 there is a small business meeting at the Parks Building starting at 7:30 a.m. He stated he has heard from the County Representative that the small business SBR grant, that they expected to be huge really became quite small. There were only 8 Manchester businesses that were approved. It is a very disappointing outcome for the City.

Mayor Clement stated that the Chief will start holding open conversations called “Chat with the Chief”. His first one will be Tuesday, August 4 at 6:30 p.m. at the Justice

Center. The City is trying to be more open for people that have questions about not only City Government but us being transparent and open as well.

Mayor Clement wanted to acknowledge a good 3-day blood drive. Normally a good showing is 20 pints of blood per day, then raised it to 25 pints per day. He said every slot was filled. They received between 67-70 pints that would help around as many as 228 people.

Mayor Clement stated that the Police Department reported four dead deer under the overpass at 141 and Manchester. It appears the deer got spooked and jumped off 141.

6. REPORTS FROM THE CITY ADMINISTRATOR

a. List of Paid Bills (Warrant dates of 06-14-2020 to 07-04-2020)

There were no questions at this time.

b. City Administrator Report

City Administrator Larry Perney read a letter from Manchester Code Enforcement Officers Steve Kirkman and John Plowman in regard, to thanking the Public Works crew for taking care of weed and grass abatements.

City Administrator Perney stated that Alderman Nolte had witnessed a lemonade stand in his neighborhood and saw some police officers stop and participate and donate some money to the kids lemonade stand.

7. REPORTS FROM COMMITTEES

a. Planning and Zoning Commission

Mayor Clement stated that they did have a meeting with three cases on the agenda. One case was a new home that was unanimously approved, and another case was a use for a small building (used to be the framing shop in front of the ball fields) on Manchester Road. It will be turned into a reading room and Christian bookstore, that was also unanimously approved. The third case was a second-floor addition in Country Lane Woods Subdivision and it was unanimously approved.

b. Veterans Commission

Alderman Huether stated that the Veterans Commission met on June 17 via Zoom. They randomly assigned 1, 2 and 3 term limits to members of the commission. They are also progressing on selecting their chairman and secretary.

Alderman Huether stated they are very pleased the City will be hosting "Visions for Vets" at one of the pavilions in Schroeder Park on Saturday mornings.

Alderman Huether stated that in the next Manchester Message there will be a half page Veterans activities happening in Manchester. She wanted to highlight two of those things tonight. On Friday, September 18 the City will once again host POW/MIA Remembrance Day at 10 a.m. Also, the City is looking forward to hosting the Veteran's Day Breakfast with the Legion on November 11. It will be held between 7am and 10am.

c. Homecoming Committee

Alderman Ottenad stated that they did not meet but they do plan to meet on Wednesday, July 8 at 6:30 p.m. at Schroeder Park.

8. ACTION ON OLD LEGISLATION

a. none.

9. INTRODUCTION OF NEW LEGISLATION

a. RESOLUTION NO 20-0757 – ENDORSEMENT OF ST. LOUIS COUNTY GRANT FOR THE CITY'S WASTE REDUCTION EFFORTS

Alderman Huether read Proposed Resolution #20-0757, entitled: "A RESOLUTION OF THE CITY OF MANCHESTER BOARD OF ALDERMEN ENDORSING SAINT LOUIS COUNTY'S GRANT PROGRAM FOR THE CITY'S WASTE REDUCTION EFFORTS", by title only.

Alderman Huether stated that we did have a Resolution recently that was similar, but this has a couple clarifications in the legal language.

Alderman Huether made the motion for approval of Resolution #20-0757. The motion was seconded by Alderman Hamill and carried unanimously, without any objections from any members of the Board of Aldermen.

b. RESOLUTION NO 20-0758 – AUTHORIZATION FOR THE PURCHASE OF ROAD SALT FOR THE 2020-2021 WINTER SEASON

Alderman Ottenad read Proposed Resolution #20-0758, entitled "A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO EXPEND THE SUM OF FIFTY-EIGHT THOUSAND ONE HUNDRED SIXTY DOLLARS (\$58,160.00) FOR THE

PURCHASE AND DELIVERY OF ROAD SALT FOR THE 2020-2021 WINTER SEASON FOR USE BY THE CITY OF MANCHESTER”, by title only.

Alderman Ottenad made the motion for approval of Resolution #20-0758. The motion was seconded by Alderman Hamill and carried unanimously, without any objections from any members of the Board of Aldermen.

c. RESOLUTION NO 20-0759 – A RESOLUTION REQUESTING GOVERNOR PARSON CONVENE A SPECIAL SESSION TO CONSIDER WAYFAIR LEGISLATION

Alderman Toben read Proposed Resolution #20-0759, entitled “A RESOLUTION OF THE CITY OF MANCHESTER BOARD OF ALDERMEN REQUESTING GOVERNOR PARSON CONVENE A SPECIAL SESSION TO CONSIDER LEGISLATION TO ENSURE THE PROPER ASSESSMENT AND COLLECTION OF SALES TAX FROM ALL INTERNET AND ONLINE SALES THEREBY CREATING A FAIR AND FREE MARKET FOR ALL BUSINESSES AND CONSUMERS REGARDLESS OF THE LOCATION OF THE BUSINESS FROM WHICH THE PURCHASE WAS MADE” by title only.

Alderman Toben made the motion for approval of Resolution #20-0759. The motion was seconded by Alderman Ottenad and carried unanimously, without any objections from any members of the Board of Aldermen.

d. RESOLUTION NO 20-0760 – AUTHORIZATION OF TOLLING AGREEMENTS

Alderman Hamill stated that since the tolling agreements already expired, he is wondering if that was intentional to have the dates expire. City Attorney Seele stated it backed that and then went forward. This is for the Authority to go forward.

Alderman Hamill read Proposed Resolution # 20-0760, entitled: “RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE TOLLING AGREEMENTS AND GRANTING FURTHER AUTHORITY”, by title only.

City Attorney Erin Seele stated that we have been watching our Telecom ghost receipts and have been seeing them go down so they have been working and negotiating with various telecommunication companies that pay those fees to the City to determine where the underpayment is. These agreements do basically pause the time the City would have to file lawsuits while the City, along with the Tolling company, will in good faith look at the data.

Alderman Hamill stated when Attorney Seele talks about granting us extra authority, is that giving City Administrator Perney further authority for the City if the telephone

companies will agree.

City Attorney Seele answered it is giving City Administrator Perney further authority to sign substantially similar agreements.

Alderman Hamill asked if there is a reason, they were all limited to May 31. City Attorney Seele stated it was the awarded decision, but this is moving forward.

City Attorney Seele explained a tolling agreement actually agreements with the various telecommunication companies and they are agreements with those companies that toll that are basically paused the Statute of limitations, which a legal terminology the amount of time you have to file a claim.

Mayor Clement wanted to know how the City was going to determine underpayment.

City Attorney Seele answered the telecommunication company has agreed to allow audit and providing us data and based on what they have actually paid and Manchester will compare to the gross receipts. It normally comes from where companies are excluding certain avenues of certain sales.

Alderman Hamill made the motion for approval of Resolution #20-0760. The motion was seconded by Alderman Ottenad and carried unanimously, without any objections from any members of the Board of Aldermen.

e. RESOLUTION NO 20-0761 – ADOPTION OF MEMORANDUM OF UNDERSTANDING FOR THE MUTUAL AID AGREEMENT BETWEEN CERTAIN POLICE AGENCIES IN ST. LOUIS COUNTY

Alderman Baumann read Proposed Resolution #20-0761, entitled: "A RESOLUTION OF THE CITY OF MANCHESTER BOARD OF ALDERMEN ADOPTING THE MEMORANDUM OF UNDERSTANDING FOR THE MUTUAL AID AGREEMENT BETWEEN CERTAIN POLICE AGENCIES IN SAINT LOUIS COUNTY", by title only.

Chief of Police Scott Will stated this is expansion of a mutual aid pack, they already have a pack with all the cities around the County. It codifies things that they already currently do.

Mayor Clement asked City Attorney Seele if her law firm had any problems with this mutual aid pack. City Attorney Seele answered Paul Rost did provide some comments and thoughts for a policy for the City. She feels this clearly states who is responsible.

Chief Will stated they took Paul Rost's comments to the group and they did adopt the suggestions that were made.

Alderman Baumann made the motion for approval of Resolution #20-0761. The motion was seconded by Alderman Nolte and carried unanimously, without any objections from any members of the Board of Aldermen.

f. RESOLUTION NO 20-0762 – AUTHORIZATION OF A CONTRACT WITH SWEETENS CONCRETE SERVICES FOR THE BRITTANY PARKWAY SIDEWALK IMPROVEMENTS PROJECT

Alderman Nolte read Proposed Resolution #20-0762, entitled: "A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF MANCHESTER TO ENTER INTO A CONTRACT WITH SWEETENS CONCRETE SERVICES IN AN AMOUNT NOT TO EXCEED SIXTY-EIGHT THOUSAND EIGHT HUNDRED EIGHTY-TWO DOLLARS AND SIXTY-EIGHT CENTS (\$68,882.68) INCLUDING A TEN (10) PERCENT CHANGE ORDER IN THE AMOUNT OF SIX THOUSAND TWO HUNDRED SIXTY-TWO DOLLARS AND SIX CENTS (\$6,262.06) FOR UNFORESEEN CONDITIONS FOR CONSTRUCTION OF SIDEWALK AND DRAINAGE IMPROVEMENTS IN THE AREA KNOWN AND REFERRED TO AS THE BRITTANY PARKWAY SIDEWALK AND DRAINAGE IMPROVEMENTS PROJECT", by title only.

Alderman Nolte made the motion for approval of Resolution #20-0762. The motion was seconded by Alderman Hamill and carried unanimously, without any objections from any members of the Board of Aldermen.

10. MISCELLANEOUS

a. Election of the President of the Board of Aldermen

Alderman Nolte made the motion to elect Alderman Ottenad as President of the Board of Aldermen. The motion was seconded by Alderman Baumann and carried unanimously, without any objections from any members of the Board of Aldermen.

b. Comments from the Public

There were none.

11. ADJOURNMENT

There being no further business, Alderman Hamill made the motion to adjourn. The motion was seconded by Alderman Nolte. Mayor Clement announced the motion carried unanimously, with no objections from the members of the Board of Aldermen. The meeting was adjourned at 7:46 p.m.

Respectfully submitted,
Michelle Melugin
Deputy City Clerk

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